SBCivil Writ Petition No.4504/2006
(Smt. Aarti Bhatnagar Vs. State of Rajasthan & Anr.)

Date of Order :: 24th August, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. P.S.Bhati, for the petitioner.

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By this petition for writ a challenge is given by the petitioner to the seniority list dated 16.9.2003 with an additional prayer for giving a direction to the respondents to pass an appropriate order for her confirmation in service.

In brief, facts of the case are that the petitioner entered in the services of the respondents being appointed as Lecturer under Rajasthan Technical Education Service Rules, 1973 (hereinafter referred to as “the Rules of 1973”) on adhoc basis under an order dated 14.10.1988. The petitioner was regularly selected under the Rules of 1973 as Lecturer in the pay scale of Rs.2200-4000 under an order dated 22.10.1977.

The grievance of the petitioner is that the respondents while determining her seniority are not taking into consideration services rendered by her in adhoc capacity. It is also urged that despite the petitioner is in employment of the respondents from years together no order of confirmation has been passed by the respondents.

Heard counsel for the petitioner.

The seniority list impugned is a provisional seniority list and the petitioner has already given a representation to the Secretary, Department of Technical Education, Government of Rajasthan i.e. placed on record as Anx.12. The present petition for writ is premature as no final seniority list has been issued by the respondents so far. In view of it I do not find any reason to entertain the writ petition at this stage. The petitioner may submit a detailed representation to the respondents ventilating her grievance with regard to her placement in seniority list.

The issue with regard to her confirmation is certainly required to be decided by the respondents in accordance with law, therefore, this writ petition is disposed of with a direction that the respondents shall take appropriate decision about confirmation of the petitioner within a period of two months from the day they receive a certified copy of this order through the petitioner.

(GOVIND MATHUR),J.

kkm/ps.